

## **Legislative Bulletin.....November 30, 2010**

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**H.Res. 1585 - Honoring and recognizing the exemplary service and sacrifice of the 60th Air Mobility Wing, the 349th Air Mobility Wing, the 15th Expeditionary Mobility Task Force, and the 615th Contingency Response Wing civilians and families serving at Travis Air Force Base, California (*Garamendi, D-CA*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1585 resolves that the House of Representatives:

- “Honors and recognizes the exemplary service and sacrifice of the 60th Air Mobility Wing, the 349th Air Mobility Wing, the 15th Expeditionary Mobility Task Force, and the 615th Contingency Response Wing civilians and families serving at Travis Air Force Base, California;
- “Offers condolences to the families of the brave men and women of Team Travis who have lost their lives in defense of the United States; and
- “Commends the actions of private citizens and organizations in the Travis Air Force Base community for their steadfast support of members of the United States Armed Forces and their families.”

This resolution contains a number of findings, including:

- “The base originally named Fairfield-Suisun Army Air Base, the ‘Gateway to the Pacific’, was renamed Travis Air Force Base in 1951;
- “The 60th Air Mobility Wing, the Air Force's largest air mobility organization, significantly contributed to the defense of our Nation during World War II, the Korean War, the Cuban Missile Crisis, the Vietnam War, the Persian Gulf War, and operations Enduring Freedom and Iraqi Freedom;
- “The 60th Air Mobility Wing, the Air Force's largest air mobility organization, significantly contributed to the defense of our Nation during World War II, the Korean War, the Cuban Missile Crisis, the Vietnam War, the Persian Gulf War, and operations Enduring Freedom and Iraqi Freedom;
- “After the September 11, 2001, terrorist attacks, Team Travis played major roles in providing airlift, air refueling, and aero medical evacuation in support of Operations Enduring and Iraqi Freedom, flying 99,692 hours for Operation Iraqi Freedom and 62,158 hours for Operation Enduring Freedom; and
- “The 60th Air Mobility Wing and Team Travis valiantly fulfill its motto of being ‘America's First Choice’, for true global reach.”

**Committee Action:** H.Res. 1585 was introduced on July 30, 2010, and was referred to the House Armed Services Subcommittee on Military Personnel, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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## **H.Res. \_\_ - Recognizing and honoring the National Guard on the occasion of its 374th anniversary (Latta, R-OH)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. \_\_ resolves that the House of Representatives:

- “Thanks the members of the National Guard for their service in response to the attacks on September 11, 2001, and their continuing role in homeland security and military operations;
- “Supports providing the National Guard with the necessary resources to ensure its readiness;
- “Expresses its condolences and gratitude to the families of those members of the National Guard who have lost their lives through their dedication and commitment to the freedom and security of the United States while serving in the National Guard; and
- “Honors and supports the compassionate, courageous, and dedicated members of the National Guard who serve a critical role in protecting the United States and its citizens’ freedoms and treasured liberties.

This resolution contains a number of findings, including:

- “The National Guard and its citizen-soldiers have participated in all major American conflicts, most recently Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn;
- “The militia stood their ground during the opening shots of the Revolutionary War at Lexington Green and Concord Bridge in 1775;
- “In World War I, the National Guard made up 40 percent of the United States combat divisions;
- “Since the attacks on September 11, 2001, hundreds of thousands of members of the Army and Air National Guard have been called upon by their States and the Federal Government to provide security at home and combat terrorism abroad; and
- “More than 50,000 members of the Army and Air National Guard were deployed in the Gulf States following Hurricane Katrina in 2005.”

**Committee Action:** H.Res. \_\_ has yet to be introduced.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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## **H.Res. 1217 - Honoring Fort Drum's soldiers of the 10th Mountain Division for their past and continuing contributions to the security of the United States (*Owens, D-NY*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1217 resolves that the House of Representatives:

- “Recognizes the achievements of the soldiers serving in the 10th Mountain Division, as well as citizen-soldiers of the Army Reserve and National Guard who have fought with the 10th Mountain Division during its 60-year history;
- “Expresses its gratitude to the family members of the 10th Mountain Division for their tireless service and sacrifice on behalf of the United States;
- “Commends the North Country community for their unwavering support of Fort Drum and the men and women serving in uniform; and
- “Offers its heartfelt condolences to the family and friends of the 10th Mountain Division soldiers who have given the ultimate sacrifice in the defense of the United States.”

This resolution contains a number of findings, including:

- “The 10th Mountain Division was first activated as the 10th Light Division (Alpine) on July 13, 1943, at Camp Hale, Colorado;
- “In November 1944, the 10th Division was redesignated the 10th Mountain Division and soldiers were first authorized to wear the blue and white ‘Mountain’ tab;
- “After 114 days of combat, the 10th Mountain Division destroyed 5 German divisions, suffered 992 casualties and 4,154 wounded, and saw one of its soldiers, Private First Class John D. Magrath posthumously awarded the Congressional Medal of Honor;
- “Following the September 11, 2001, attacks on the United States, units of the 10th Mountain Division first deployed in support of Operation Enduring Freedom in late 2001, fighting to secure remote elements of Afghanistan against Taliban forces; and
- “The 10th Mountain Division is known as the most deployed division in the United States Army.”

**Committee Action:** H.Res. 1217 was introduced on March 24, 2010, and was referred to the House Armed Services Subcommittee on Military Personnel, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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**H.Res. 1724 - Commending the City of Jacksonville, Arkansas, for its outstanding support in creating a unique and lasting partnership with Little Rock Air Force Base, members of the Armed Forces stationed there and their families, and the Air Force (*Snyder, D-AR*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1724 resolves that the House of Representatives:

- “Commends the City of Jacksonville, Arkansas, for its outstanding support in creating a unique and lasting partnership with Little Rock Air Force Base, members of the Armed Forces stationed there and their families, and the Air Force.”

This resolution contains a number of findings, including:

- “For more than 50 years, the community of Jacksonville, Arkansas, has supported and served the members of the Armed Forces and their families at Little Rock Air Force Base;
- “After September 11, 2001, Little Rock Air Force Base restricted access to much of the community for security reasons, and in response to the tragedy and the restrictions caused by the terrorist attacks of September 11, 2001, the community and air base came together to address a need for a new education facility for both military members and civilians;
- “Recognizing the need to raise funds for a new educational facility, the City Council of Jacksonville, Arkansas, held a special election in which the citizens of Jacksonville overwhelmingly voted to adopt a temporary one-cent sales tax, which raised \$5,000,000;
- “On March 3, 2009, the City of Jacksonville, Arkansas, was awarded the Abilene Trophy, which honors a civilian community for exceptional support of Air Mobility Command base at Little Rock Air Force Base.”

**Committee Action:** H.Res. 1724 was introduced on November 17, 2010, and was referred to the House Armed Services Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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### **H.Res. 1430 - Honoring and saluting golf legend Juan Antonio "Chi Chi" Rodriguez for his commitment to Latino youth programs of the Congressional Hispanic Caucus Institute (*Baca, D-CA*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1430 resolves that the House of Representatives:

- “Honors and salutes Juan Antonio ‘Chi Chi’ Rodriguez for his contributions to the successful programs of the Congressional Hispanic Caucus Institute for Latino youth and his lifelong leadership in shaping the lives of at-risk youth who benefit from the generosity and devotion of the Chi Chi Rodriguez Youth Foundation; and
- “Directs the Clerk of the House of Representatives to make available an enrolled copy of this resolution to the Congressional Hispanic Caucus Institute and to the Chi Chi Rodriguez Youth Foundation.”

This resolution contains a number of findings, including:

- “Rodriguez was the first Puerto Rican inducted into the World Golf Hall of Fame and was elected to the World Humanitarian Sports Hall of Fame in 1994;
- “The Congressional Hispanic Caucus Institute (CHCI), the premier Latino youth leadership development and educational organization in the United States, honored Rodriguez with the CHCI Service Award for his ongoing commitment to providing opportunities for Latino youth to succeed;
- “Rodriguez remains active with his own Chi Chi Rodriguez Youth Foundation, which funds the Chi Chi Rodriguez Academy, whose mission is to assist at-risk

- children by improving their self-esteem, character, work ethic, social adjustment, and academic performance, using the golf course as a living classroom;
- “The Chi Chi Rodriguez Youth Foundation has earned a number of awards, including the National Golf Foundation Award for the Best Youth Program in the United States in 1986, the Pinellas County Sports Salute XVIII for working with youth in 1990, the 758th Point of Light in 1992, the Gannett Company's USA Weekend Most Valuable Athlete Award in 1983, based on an athlete's contribution, caring and commitment off the field, and the Robie Award for Humanitarianism, presented by the Jackie Robinson Foundation in 1996.”

**Committee Action:** H.Res. 1430 was introduced on June 10, 2010, and was referred to the House Education and Labor Subcommittee on Healthy Families and Communities, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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## **H.Res. 1638 - Supporting the goals and ideals of National GEAR UP Day (*Fattah, D-PA*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1638 resolves that the House of Representatives:

- “Supports the goals and ideals of a National GEAR UP Day;
- “Recognizes with gratitude the contributions of caring teachers, counselors, and program staff who encourage and prepare students for success in college; and

- “Encourages all students to set ambitious goals and to work hard to achieve their dreams.”

This resolution contains a number of findings, including:

- “Congress created the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) in 1998 to increase the number of low-income students who are prepared to enter and succeed in postsecondary education;
- “On February 24, 2009, President Barack Obama addressed a Joint Session of Congress, during which he stated his goal that the United States would once again have the highest proportion of college graduates;
- “GEAR UP is currently providing essential college preparatory services to 670,000 students in over 5,000 schools across 46 States, the District of Columbia, America Samoa, Micronesia, and Puerto Rico;
- “In September 2009 GEAR UP Day was recognized across the United States, including proclamations by the Governors of the States of Iowa, Maine, Ohio, Oklahoma, and West Virginia, the Governor of American Samoa, and other observances noticed in the Congressional Record on Tuesday, September 22, 2009; and
- “September 29, 2010, would be an appropriate day to designate as National GEAR UP Day.”

**Additional Information:** [GEAR UP](#) is managed through the Department of Education. ExpectMore.gov, which is managed by the Office of Management and Budget, conducted an analysis of GEAR UP and found the program to be [adequate](#).

**Committee Action:** H.Res. 1638 was introduced on September 20, 2010, and was referred to the House Education and Labor Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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## **H.Res. 1598 - Expressing support for the designation of the month of October as National Work and Family Month (*McCarthy, D-NY*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1598 resolves that the House of Representatives:

- “Supports the designation of National Work and Family Month;
- “Recognizes the importance of balancing work and family to job productivity and healthy families;
- “Recognizes that an important job characteristic is a work schedule that allows employees to spend time with families;
- “Supports the goals and ideals of National Work and Family Month, and urges public officials, employers, employees, and the general public to work together to achieve more balance between work and family; and
- “Requests that the President issue a proclamation calling upon the people of the United States to observe National Work and Family Month with appropriate ceremonies and activities.”

This resolution contains a number of findings, including:

- “According to the Best Places to Work in the Federal Government rankings released by the Partnership for Public Service and American University's Institute for the Study of Public Policy Implementation, work-life balance and a family-friendly culture are among the key drivers of employee engagement and satisfaction in the Federal workforce;
- “According to the 2006 American Community Survey, 47 percent of wage and salaried workers are parents with children under the age of 18 who live with them at least half-time;
- “According to the CDC, employer policies that encourage breastfeeding benefit individual families as well as employers by improving productivity and staff loyalty, enhancing the employer's public image, and reducing absenteeism, health care costs, and employee turnover;
- “Studies report that family rituals, such as sitting down to dinner together and sharing activities on weekends and holidays, positively influence children's health and development, and that children who ate dinner with their family every day consumed nearly a full serving more of fruits and vegetables per day than those who never ate family dinners or only did so occasionally; and
- “The month of October would be an appropriate month to designate as National Work and Family Month.”

**Committee Action:** H.Res. 1598 was introduced on July 30, 2010, and was referred to the House Education and Labor Subcommittee on Workforce Protections, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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### **H.Res. 1576 - Expressing the sense of the House of Representatives that a National Day of Recognition for Parents of Special Needs Children should be established (Burton, R-IN)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1576 resolves that the House of Representatives:

- “Recognizes the importance of honoring the Nation's parents of special needs children;
- “Expresses its sense that a National Day of Recognition for Parents of Special Needs Children should be established to honor such parents; and
- “Urges the President to issue a proclamation calling on the people of the United States to observe such a day with appropriate ceremonies, programs, and activities.”

This resolution contains a number of findings, including:

- “Children with special health care needs are defined as those children who have a chronic physical, developmental, behavioral, or emotional condition that requires

- special health-related services of a type or amount beyond that required by children generally;
- “The Department of Health and Human Services most recent National Survey of Children with Special Health Care Needs estimates 14 percent of children between the ages of 0 and 17 in the United States are diagnosed as having special health care needs;
  - “Active and supportive parents serve a critical role in the development of special needs children and in preparing them to succeed in school and in life;
  - “Parents of special needs children deserve annual national recognition for their selfless dedication, compassion, and sacrifice; and
  - “It is appropriate that the Nation reserve a special day each year to celebrate and honor the parents of special needs children across the United States.”

**Committee Action:** H.Res. 1576 was introduced on July 29, 2010, and was referred to the House Education and Labor Subcommittee on Early Childhood, Elementary, and Secondary Education, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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**H.Res. 1313 - Expressing support for designation of May as "Child Advocacy Center Month" and commending the National Child Advocacy Center in Huntsville, Alabama, on their 25th anniversary in 2010 (Griffith, R-AL)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1313 resolves that the House of Representatives:

- “Supports the designation of ‘Child Advocacy Center Month’; and
- “Commends the National Child Advocacy Center in Huntsville, Alabama, on their 25th anniversary.”

This resolution contains a number of findings, including:

- “In May 1985, the National Child Advocacy Center opened its doors in Huntsville, Alabama;
- “There are now more than 900 Child Advocacy Centers in the United States, all based off of the first one in Huntsville, Alabama;
- “In 2009, child advocacy centers served more than 260,000 children;
- “Services are offered to children who are physically and sexually abused entirely for free to the family; and
- “May would be an appropriate month to designate as ‘Child Advocacy Center Month.’”

**Committee Action:** H.Res. 1313 was introduced on April 29, 2010, and was referred to the House Education and Labor Subcommittee on Healthy Families and Communities, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

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**H.Con.Res. 323 - Supporting the goal of ensuring that all Holocaust survivors in the United States are able to live with dignity, comfort, and security in their remaining years (*Wasserman Schultz, D-FL*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 323 resolves that the House of Representatives:

- “Supports the goal of ensuring that all Holocaust survivors in the United States are able to live with dignity, comfort, and security in their remaining years;
- “Applauds the nonprofit organizations and agencies that work tirelessly to honor and assist Holocaust survivors in their communities;
- “Urges the Administration and the Department of Health and Human Services, in conjunction with the Administration on Aging (AoA), to provide Holocaust survivors with needed social services through existing programs; and
- “Encourages the Administration on Aging to expeditiously develop and implement programs that ensure Holocaust survivors are able to age in place in their communities and avoid institutionalization during their remaining years.”

This resolution contains a number of findings, including:

- “During the Holocaust, which took place between 1933 and 1945, an estimated 6,000,000 Jews and other targeted groups were murdered by the Nazis and their collaborators;
- “Approximately 127,000 Holocaust survivors remain in the United States, and many pass away each year;
- “Those who survived torture and forced labor under Nazi occupation in concentration, labor, and death camps, as well as those who were forced to flee to a country or region not under Nazi rule or occupation during that time, continue to live with the scars of this unconscionable tragedy;
- “While institutionalized settings are beneficial for some older people in the United States, institutions have a disproportionate adverse effect on Holocaust survivors by reintroducing the sights, sounds, and routines of institutionalization that are reminiscent of experiences during the Holocaust; and
- “The United States represents and defends the values of freedom, liberty, and justice and has a moral obligation to acknowledge the plight and uphold the dignity of Holocaust survivors to ensure their well-being in their remaining years.”

**Committee Action:** H.Con.Res. 323 was introduced on September 29, 2010, and was referred to the House Education and Labor Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

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## **H.Res. 1690 - Supporting the observance of American Diabetes Month (*DeGette, D-CO*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1690 resolves that the House of Representatives:

- “Supports the goals and ideals of American Diabetes Month, including encouraging Americans to fight diabetes through raising public awareness about stopping diabetes and increasing education about the disease;
- “Recognizes the importance of early detection, awareness of the symptoms of diabetes, and the risk factors for diabetes, which include being over the age of 45, being a member of specific racial and ethnic background, being overweight, having a low physical activity level, having high blood pressure, and having a family history of diabetes or a history of diabetes during pregnancy; and
- “Supports decreasing the prevalence of type 1, type 2, and gestational diabetes in the United States through increased research, treatment, and prevention.”

This resolution contains a number of findings, including:

- “According to the CDC, approximately 1,600,000 new cases of diabetes were diagnosed last year in people 20 years or older;
- “According to the American Diabetes Association, in 2007, the total cost of diagnosed diabetes in the United States was \$174,000,000,000, and one in ten dollars spent on health care is attributed to diabetes and its complications;
- “According to the CDC, every day 230 people with diabetes undergo an amputation, 120 people enter end-stage kidney disease programs, and 55 people go blind from diabetes;

- “There are proven means to reduce the incidence of and/or delay the onset of type 2 diabetes;
- “The House of Representatives is in a unique position to help raise public awareness about the need for increased funding for research on, and for prevention, early diagnosis, and treatment of, diabetes; and
- “November is widely recognized as American Diabetes Month.”

**Committee Action:** H.Res. 1690 was introduced on September 29, 2010, and was referred to the House Energy and Commerce Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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## **S. 2847 —CALM Act (*Sen. Whitehouse, D-RI*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** Similar legislation (H.R.1084) was considered by the House on December 15, 2009, and passed by a voice vote. The bill requires the Federal Communications Commission to promulgate regulations, within in one year of enactment, concerning the loudness levels of commercial advertisements, accompanying any video programming shown by a television broadcast station. Television broadcast stations, cable and direct broadcast satellite operators, and other distributors would be required to install and maintain equipment that is compliant with the ATSC Recommended Practice. Stations that fail to timely install equipment or fail to maintain the equipment may be subject to fines and penalties as determined by the FCC. The FCC can grant a one year waiver for companies that suffer financial hardship because of the mandates prescribed under S. 2847.

**Additional Background:** According to the committee, the FCC has received consumer complaints about commercials being louder than television shows since the 1960s. In the 25 quarterly reports on consumer complaints released by the FCC since 2002, 21 have listed as a top complaint the loudness of television commercials.

**Conservative Concerns:** Some conservatives have expressed concern that the legislation sets a bad precedent by placing a government mandate on the private-sector for a problem that is not overly serious. Consumer and public pressure should be enough to encourage the private-sector to remedy the problem on their own. According to the Advanced Television Systems Committee, the industry has developed a standard that is “starting to minimize the problem.”

Additionally, some operators have argued that the problem is complex because of the many entities involved in distributing content. The bill could subject firms to penalties on something over which they had little or no control.

**Committee Action:** On December 8, 2009, the bill was introduced and referred to the Committee on Commerce, Science, and Transportation. On June 8, 2010, the committee on held a mark-up and ordered the bill as amended to be reported favorably. On September 29, 2010, the Senate passed the bill by unanimous consent.

**Cost to Taxpayers:** According to CBO, “implementing S. 2847 would have no significant effect on the federal budget. Enacting S. 2847 would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.”

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. The legislation imposes a new mandate on the private sector.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** Yes, the bill will require television broadcast stations, cable operators, and other distributors of television programming to meet the standards adopted by the FCC. The cost to those entities would depend on the method used to comply with the mandate. According to information from industry sources, the cost of equipment that controls the volume of programming ranges from a few thousand dollars to about \$20,000 per device. Based on information from the FCC and industry sources, CBO expects that several thousand entities would have to comply with the mandate.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** A committee report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available. Such a report is technically not required because the bill is being considered under suspension of the rules.

**Constitutional Authority:** Senate report 111-340 does not cite the Constitutional authority to enact S. 2847.

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**H.Res. 1735 - Condemning North Korea in the strongest terms for its unprovoked military attack against South Korea on November 23, 2010 (*Berman, D-CA*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1735 resolves that the House of Representatives:

- “Condemns North Korea in the strongest terms for its unprovoked military attack against South Korea in violation of the Korean War Armistice Agreement and for causing civilian casualties;
- “Calls for North Korea to renounce further acts of aggression and abide by the terms of the Korean War Armistice Agreement and its international obligations;
- expresses its deep condolences and sympathy to the South Korean victims and their families;
- “Stands in solidarity with the people and Government of the Republic of Korea at this time of national crisis;
- “Reaffirms its strong commitment to the alliance between the United States and the Republic of Korea, the security of South Korea, and stability on the Korean Peninsula;
- “Supports further close, security cooperation between the United States and the Republic of Korea;
- “Encourages continued dialogue and cooperation between the United States and United States allies and other countries in the region in the interests of enhancing peace and security in the Asia-Pacific region;
- “Calls on China to restrain North Korea, its treaty ally, from further acts of belligerence and to work constructively with the international community to promote regional stability;
- “Calls upon North Korea to immediately cease any and all uranium enrichment activities and take concrete steps to dismantle, under international verification and assistance, all sensitive nuclear facilities, in accordance with United Nations Security Council Resolutions 1695 (2006), 1718 (2006), and 1874 (2009); and
- “Urges responsible nations to abide by United Nations Security Council Resolutions 1695, 1718, and 1874, and to fully implement the sanctions and other obligations contained therein.”

This resolution contains a number of findings, including:

- “Yeonpyeong Island is a South Korean island in the Yellow Sea, inhabited by over 1,000 South Korean civilians and military personnel;

- “On November 23, 2010, at approximately 2:34 p.m. local time, the North Korean military began firing artillery shells at Yeonpyeong Island;
- “The artillery barrage killed 2 South Korean marines, 2 civilians, and wounded at least 19 others;
- “The USS George Washington Carrier Strike Group is conducting exercises with Republic of Korea naval forces in the waters west of the Korean Peninsula;
- “The recent disclosure of a newly operational North Korean uranium enrichment plant is a violation of United Nations Security Council Resolutions 1695 (2006), 1718 (2006), and 1874 (2009); and
- “The United States is firmly committed to the defense of South Korea and to the maintenance of regional peace and stability.”

**Committee Action:** H.Res. 1735 was introduced on November 29, 2010, and was referred to the House Foreign Affairs, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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## **H.R. 6411 – To provide for the approval of the Agreement Between the Government of the United States of America and the Government of Australia Concerning Peaceful Uses of Nuclear Energy (Ros-Lehtinen, R-FL)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** This bill waives the requirement that Congress have 90 days to review the nuclear cooperation agreement between the U.S. and Australia.

According to the White House, which submitted the agreement to Congress on May 5, 2010:

The proposed Agreement permits the transfer of information, material, equipment (including reactors), and components for nuclear research and nuclear power production. It does not permit transfers of Restricted Data, sensitive nuclear technology, sensitive nuclear facilities, or major critical components of such facilities. In the event of termination of the proposed Agreement, key nonproliferation conditions and controls continue with respect to material, equipment, and components subject to the proposed Agreement.

**Background:** This agreement, also called a “123 agreement,” was submitted to Congress on May 5, 2010. The Atomic Energy Act (AEA) requires that all 123 agreements be submitted to Congress for 90 days of continuous session in order to be reviewed. If Congress does not act after those 90 days, the agreement automatically goes into effect.

Because it is unclear as to whether Congress might not be able to have 90 days to review the agreement before it goes out of session, this bill waives the 90-day requirement.

According to the White House, Australia is a non-nuclear weapon state that is party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), it has concluded a Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency, is a party to the Convention on the Physical Protection of Nuclear Material, and is a member of the Nuclear Suppliers Group, which sets forth standards for the responsible export of nuclear commodities for peaceful use.

Furthermore, Australia has an excellent record in preventing the spread of nuclear weapons and accounts for 25% of the uranium used by the United States.

**Committee Action:** H.R. 6411 was introduced on November 16, 2010 and referred to the House Foreign Affairs Committee. No further public action was taken.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** No CBO score was available at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Although the bill contains no earmarks, and there is no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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**H.Res. 527 - Commending the NATO School for its critical support of North Atlantic Treaty Organization (NATO) efforts to promote global peace, stability, and security (Tanner, D-TN)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 527 resolves that the House of Representatives:

- “Commends the NATO School for its critical support of North Atlantic Treaty Organization (NATO) efforts to promote global peace, stability, and security;
- “Reaffirms its commitment to NATO as the bedrock of transatlantic security and defense; and
- “Expresses appreciation to Colonel James J. Tabak, USA-MC, for his leadership of the NATO School during his tenure as commandant from June 2006 to June 2009 and to the NATO School faculty and staff for their hard work and commitment to advancing the School's mission, to NATO member states and partner countries for their consistent and invaluable contribution of expert faculty to the NATO School, and for the strong partnership between the United States and German governments in providing financial support and leadership for the NATO School.”

This resolution contains a number of findings, including:

- “The NATO School in Oberammergau, Germany is the North Atlantic Treaty Organization's (NATO) premier operational-level education and training facility and has administered courses to over 185,000 officers, noncommissioned officers, and civilians from NATO allied and partner nations since its inception in 1953;
- “Since the fall of the Berlin Wall and the end of the Cold War, NATO has successfully adapted to address a range of new and emerging security challenges including transnational terrorism, the proliferation of weapons of mass destruction, the re-emergence of regional and local conflicts and conflicts outside the North Atlantic Treaty Area, instability caused by failed states, cyber attacks, piracy, and threats to global energy security;
- “The NATO School plays a crucial role in supporting NATO's ongoing operations in Afghanistan, Iraq, Kosovo, the Mediterranean, and elsewhere, providing much of the training for NATO personnel serving in NATO's core stabilization mission in Afghanistan and conducting almost all of NATO's out-of-country training of Iraqi military officers;
- “The NATO School currently offers 90 courses to individuals from over 100 countries including an array of unique programs dedicated to building civilian, governance, and military capacity in aspiring NATO member states;

- “The NATO School raises a large portion of its operating expenses through tuition fees, but also receives significant financial support from both the United States and German governments and relies in large part on the invaluable contribution of expert faculty from NATO member states and partner countries; and
- “Congress continues to support the NATO School and recognizes the critical role it plays in enhancing the ability of NATO and the United States to successfully confront the security challenges of the 21st century.”

**Committee Action:** H.Res. 527 was introduced on September 24, 2010, and was referred to the House Foreign Affairs Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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## **H.Res. 528 - Commending the George C. Marshall European Center for Security Studies for its efforts to promote peace, stability and security throughout North America, Europe, and Eurasia (Tanner, D-TN)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 528 resolves that the House of Representatives:

- “Commends the Marshall Center for its efforts to promote peace, stability, and security throughout North America, Europe, and Eurasia;

- “Expresses appreciation for the strong partnership between the United States and German governments in advancing their mutual national security interests through the Marshall Center's programs;
- “Expresses appreciation to Marshall Center Director Dr. John P. Rose and his outstanding faculty and staff for their hard work and commitment to advancing the Center's mission;
- “Notes that the security of the United States remains inseparably linked to peace and stability on the European continent; and
- “Reaffirms its commitment to promoting transatlantic cooperation through international collaborative educational programs such as those offered by the Marshall Center.”

This resolution contains a number of findings, including:

- “The George C. Marshall European Center for Security Studies (the Marshall Center), a joint partnership of the United States and German governments located in the German city of Garmisch-Partenkirchen, is a world-renowned international security and defense studies institute promoting dialogue and understanding among the nations of North America, Europe, and Eurasia;
- “The Marshall Center has played and continues to play a critical role in fostering the peaceful transition to stable democratic governance in the formerly communist states of Central and Eastern Europe and Eurasia by developing and expanding defense and security cooperation between these countries and North America and Western Europe;
- “Through its tailored educational and outreach programs in areas ranging from transnational terrorism and post-conflict stability operations to advanced security studies, the Marshall Center prepares leaders from North America, Europe, and Eurasia to address emerging security challenges and to forge a 21st century security environment defined by peace and cooperation;
- “To date, general officers, members of parliament, ministers, ambassadors, and other high-ranking government officials from over 100 countries have benefited from the Marshall Center's unique programs; and
- “The United States House of Representatives' delegation to the NATO Parliamentary Assembly (NATO PA) visited the Marshall Center in February 2009, recognizes the importance of the Center's work, and seeks to support the Center's efforts by engaging in constructive dialogue with parliamentarians from NATO member and associate and observer states on key transatlantic security issues.”

**Committee Action:** H.Res. 528 was introduced on June 10, 2009, and was referred to the House Foreign Affairs Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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## **H.R. 6398—To Require the Federal Deposit Insurance Corporation to Fully Insure Interest on Lawyers Trust Accounts (Doggett, D-TX)**

**Order of Business:** H.R. 6398 is scheduled to be considered on Tuesday, November 30, 2010 under a motion to suspend the rules and pass the bill.

**Summary:** The legislation would require the Federal Deposit Insurance Corporation (FDIC) to fully insure (up to an unlimited amount) interest on lawyers trust accounts (IOLTA). An IOLTA is an account, used by lawyers, to escrow clients funds in one place to earn interest. Without this legislation, these accounts would be insured up to the \$250,000 FDIC limit (the limit was \$100,000 as recently as 2008). Of the banks that have failed during the financial crisis, 1,500 were IOLTAs, and 74 of these exceeded the \$250,000 limit.

**Potential Conservative Concern:** The legislation increases potential taxpayer liabilities under the FDIC. The legislation will require additional assessments on institutions that participate in FDIC to cover potential losses. Many conservatives may argue that we should not expand federal unlimited deposit insurance guarantees.

**RSC Bonus Fact:** As of April 2010, participating TAG institutions had an estimated \$340 billion in accounts subject to the FDIC's guarantee. \$266 billion of this amount represents money above the \$250,000 limit.

**Committee Action:** H.R. 6398 was introduced on November 15, 2010, and referred to the House Committee on Financial Services, which took no further action.

**Cost to Taxpayers:** No CBO score is available.

**Does the Bill Expand the Size and Scope of the Federal Government?** Yes, the

legislation would require the Federal Deposit Insurance Corporation (FDIC) to fully insure (up to an unlimited amount) interest on lawyers trust accounts (IOLTA).

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No report listing any such information is available.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** No committee report is available, but the legislation does not appear to contain any earmarks.

**Constitutional Authority:** No committee report citing constitutional authority is available.

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### **H.Con.Res. 325 - Supporting the goals and ideals of National Homeless Persons' Memorial Day (*Hastings, D-FL*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, November 30, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 325 resolves that the House of Representatives:

- “Supports the goals and ideals of National Homeless Persons' Memorial Day, in recognition of the people who have died on the streets, in emergency shelters, condemned or abandoned properties, and from elements directly related to homelessness;
- “Encourages the President to issue a proclamation in support of the goals and ideals of National Homeless Persons' Memorial Day;
- “Encourages States, territories, possessions of the United States, and localities to support the goals and ideals of National Homeless Persons' Memorial Day by issuing proclamations designating National Homeless Persons' Memorial Day;
- “Encourages media organizations to participate in National Homeless Persons' Memorial Day to help educate the public about homelessness in the United States;
- “Commends the efforts of the States, territories, and possessions of the United States who support the goals and ideals of National Homeless Persons' Memorial Day;
- “Recognizes and reaffirms the Nation's commitment to ending homelessness by promoting a comprehensive national response that addresses the housing, health care, income, and civil rights causal factors and consequences of extreme poverty; and
- “Acknowledges all of the people in the United States living on the streets who have paid the ultimate price for the Nation's failure to end homelessness and salutes the dedicated professionals and organizations who provide assistance to people in need.”

This resolution contains a number of findings, including:

- “More than 500,000 people in the United States do not have a place to call home each night and half of them are without shelter;
- “Housing has become increasingly inaccessible due to rising costs and a shortage of rental and single-family housing;
- “A recent study published in the May 13, 2010, American Journal of Public Health has shown that over 70 percent of people experiencing homelessness have at least one unmet health need and almost half report two or more;
- “Every member of society, including individuals experiencing homelessness, deserves the dignity of safe, decent, accessible, and affordable housing;
- “National Homeless Persons' Memorial Day is recognized on December 21, 2010.”

**Committee Action:** H.Con.Res. 325 was introduced on September 29, 2010, and was referred to the House Financial Services Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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## **H.R. 5866 - Nuclear Energy Research and Development Act of 2010 (Gordon, D-TN)**

**Order of Business:** The bill is scheduled to be considered on Monday, November 29, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** *Authorizing \$1.29 billion over a three year period*, H.R. 5866 seeks to amend the Energy Policy Act of 2005 to modify and expand on existing nuclear research

and development programs at the Department of Energy. According to CBO, the Department of Energy received a “total of nearly \$800 million for nuclear energy programs in 2010.” Specifically, the bill establishes several new objectives under the 2005 Energy Policy Act to reduce the costs of nuclear reactor systems, reduce used nuclear fuel and nuclear waste products generated by civilian nuclear energy, support technological advances in areas that industry by itself is not likely to undertake because of technical and financial uncertainty, and streamline the process by which nuclear power systems meet federal and state requirements and standards.

The bill requires the Secretary of Energy to submit a report to Congress within one year on state requirements and standards that impede development and commercialization of nuclear power, and how the federal government can assist in overcoming such delays or impediments.

H.R. 5866 requires the Secretary to create a new research and development program to examine advanced reactor designs and nuclear technologies that will increase efficiency, safety, and affordability. The program allows the Secretary to seek opportunities to provide international cooperation through organizations such as the Generation IV International Forum. Additionally, the bill requires the creation of a new modular reactor program to promote research, development, demonstration, and commercial application of small modular reactors, including through cost-shared projects for commercial application of reactor systems designs. The bill defines a small modular reactor as one with a rated capacity of less than 300 electrical megawatts, can be factory assembled and shipped as modules to a reactor plant site for assembly, and can be constructed and operated in combination with similar reactors at a single site. The Secretary must take into consideration a number of considerations for each project including cost share, design, potential to not need subsidies, capital costs, safety, proliferation, among other issues. The bill contains a cost sharing requirement for not less than 50 percent of the costs of the small modular reactor project. Applicants to participate in the program must provide documentation that:

- all partners and suppliers that will be active in the small modular reactor project, including a description of each partner or supplier's anticipated domestic and international activities;
- measures to be undertaken to enable cost-effective implementation of the small modular reactor project;
- an accounting structure approved by the Secretary;
- all known assets that shall be contributed to satisfy the cost-sharing requirement under the bill; and
- the extent to which the proposal will increase domestic manufacturing activity, exports, or employment.

H.R. 5866 requires the creation of a Nuclear Energy Research Initiative for research and development related to steam-side improvements to nuclear power plants. The programs seeks to address cooling systems, turbine technologies, heat exchangers and pump design, special coatings to improve lifetime of components and performance of heat exchangers,

and advanced power conversion systems for advanced reactor technologies. The program is limited to an authorization of \$10 million.

The bill requires the Secretary to conduct a program on fuel cycle options that improve uranium resource utilization, maximize energy generation, minimize nuclear waste creation, improve safety, mitigate risk of proliferation, and improve waste management in support of a national strategy for spent nuclear fuel and the reactor concepts research, development, demonstration, and commercial application. The bill requires a Blue Ribbon Commission on America's Nuclear Future report to Congress which must include recommendations for “long-term nuclear waste solutions that will be incorporated into the plan compare with plans for a long-term nuclear waste solution of a repository at Yucca Mountain, that may or may not be incorporated into the plan, with regard to the safety, security, legal, cost, and technological and site readiness factors associated with any recommendations related to final disposition pathways for spent nuclear fuel and high-level radioactive waste to the same factors associated with permanent deep geological disposal at the Yucca Mountain waste repository.”

The bill requires the Secretary to conduct a program to support the integration of activities undertaken through the reactor concepts research and the fuel cycle research and development program and support crosscutting nuclear energy concepts.

The bill requires a report summarizing the quantitative risks associated with the potential of a severe accident arising from the use of civilian nuclear energy technology, including reactor technology likely to be deployed and outlining the technologies currently available to mitigate the consequences an accident. The Comptroller General is also required to submit to Congress a report providing a status update of the Next Generation Nuclear Plant program.

Finally, the bill requires the Director of the National Institute of Standards and Technology to establish a nuclear energy standards committee to facilitate the development or revision of technical standards for new and existing nuclear power plants and advanced nuclear technologies consistent with the National Technology Transfer and Advancement Act of 1995. The bill establishes a federal database of non-federal user facilities receiving federal funds that may be used for unclassified nuclear energy research and making it accessible on the Department of Energy's website. The bill also reiterates that in accordance with federal law, it is the Department of Energy's responsibility for disposal of high-level radioactive waste or spent nuclear fuel generated by reactors under the programs authorized under H.R. 5866.

**Additional Background:** 104 nuclear reactors produce approximately 20 percent of our nation's electricity supply and 70 percent of our emissions-free energy. Nuclear power plants generate approximately 2,000 metric tons of nuclear waste per year. Currently, the United States already contains a backlog of 63,000 tons. Additionally, capital construction costs for the construction of new nuclear power plants have dramatically increased. According to the Committee, H.R. 5866 goals are to “mitigate the problems associated with nuclear waste and reduce the capital costs of nuclear power through a

robust and integrated research, development, demonstration and commercial application program.”

### **Democrat Inconsistency Alert!**

***Swinging for the Fences:*** The Committee Report accompanying H.R. 5866 states that in order to reach the 2030 emission reduction goals under the national energy tax passed by House Democrats in 2009, “at least 96 gig watts of new nuclear capacity would be needed.” While some of the programs authorized under H.R. 5866 may provide a modicum of assistance to deal with nuclear waste and capacity issues, it does very little to address the major issues surrounding nuclear capacity – the establishment of Yucca Mountain as a permanent waste depository and reforming the regulatory process to create new facilities.

***Potential Conservative Concerns:*** Some conservatives have expressed concern that authorizing approximately \$1.3 billion in new spending, during a time of 10% unemployment, for programs that may do little to help alleviate the nuclear waste, problem may be inappropriate.

**Committee Action:** On July 27, 2010, the bill was introduced and referred to the Committee on Science & Technology. On July 28, 2010, the subcommittee on Energy & Environment held a mark-up and forwarded to the bill to the full committee, as amended, by a voice vote. On November 18, 2010, the full committee reported the bill, as amended.

**Cost to Taxpayers:** According to CBO, H.R. 5866 authorizes \$1.29 billion over the 2011-2013 period. Specifically, the bill includes the authorization of \$603 million for research and development related to the nuclear fuel cycle; \$297 million for research on crosscutting nuclear technologies and efforts to integrate research on specific elements of nuclear energy; \$195 million to support efforts to design and license \$192 million for nuclear energy research and development and activities to demonstrate commercial applications of nuclear technologies; and \$3 million for the National Institute for Standards and Technology.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes, the bill expands on several programs existing programs under the Department of Energy and creates several new programs, including a Nuclear Energy Enabling Technologies program and a Small Modular Reactor program.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** According to committee report, 111-658, H.R. 5866 does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI.

**Constitutional Authority:** The Science & Technology committee states Article I, Section 8 grants Congress the authority to enact H.R. 5866. The committee does not cite a specific clause.

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## **H.Res. 1622 - Honoring the historic contributions of veterans throughout all conflicts involving the United States (*Baca, D-CA*)**

**Order of Business:** The resolution is scheduled to be considered on Monday, November 29, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1622 resolves that the House of Representatives:

- “Recognizes and honors the courage, service, and sacrifice of all veterans and their historic contributions to the United States;
- “Encourages the people of the United States to demonstrate their support for Veterans Day each year by treating that day as a special day of reflection;
- “Encourages schools and teachers to educate students on the historic contributions veterans have made to the country and its history, both while serving as members of the United States Armed Forces and after completing their service; and
- “Requests that the President issue a proclamation each year in connection with the observance of Veterans Day calling on the people of the United States to recognize the historic contribution of all veterans by observing that day with appropriate ceremonies and activities.”

This resolution contains a number of findings, including:

- “United States veterans past and present have served the Nation in times of peace and war at great personal sacrifice for both themselves and their families;
- “Historic contributions include involvement in the Revolutionary War, War of 1812, Eastern Indian Wars, Mexican War, Civil War, Western Indian Wars, Spanish-American War, World War I, World War II, Korean War, Vietnam Conflict, Lebanon crisis of 1958, Persian Gulf War, Operation Enduring Freedom, Operation Iraqi Freedom, and other conflicts;
- “The observance of Veterans Day is an expression of faith in democracy, faith in American values, and faith that those who fight for freedom will defeat those whose cause is unjust; and
- “As the Nation reaffirms its obligation to provide veterans and their families with the essential support they were promised and have earned.”

**Committee Action:** H.Res. 1622 was introduced on September 15, 2010, and was referred to the House Veterans’ Affairs Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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**H.R. 5953 — To direct the Secretary of Veterans Affairs to display in each facility of the Department of Veterans Affairs a Women Veterans Bill of Rights (*Filner, D-CA*)**  
**Updated**

**Order of Business:** The legislation is scheduled to be considered on Monday, November 29, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 5953 would require the Secretary of Veterans Affairs to ensure that the Women Veterans Bill of Rights is displayed in each facility of the Department. Additionally, the Manager's Amendment would include language from H.R. 5428, which would require the Injured and Amputee Veterans Bill of Rights to be displayed in each prosthetics and orthotics clinic of the VA. The bill would require all employees of VA to receive training on the new Bills of Rights as well as ensure that the Bills of Rights are distributed widely to women veterans and injured and amputee veterans.

The most recent Manager's Amendment aims to appease pro-life concerns by adding language stating that "nothing in this Act shall be construed to establish a right to any service excluded under 38C.F.R. 17.38." The code references the VA medical benefits package, which among other items, excludes abortion services.

The Women Veterans Bill of Rights is a sign stating that women veterans should have a list of the following 24 rights:

- "The right to a coordinated, comprehensive, primary women's health care, at every Department of Veterans Affairs medical facility, including the recognized models of best practices, systems, and structures for care delivery that ensure that every woman

veteran has access to a Department of Veterans Affairs primary care provider who can meet all her primary care needs, including gender-specific, acute and chronic illness, preventive, and mental health care;

- “The right to be treated with dignity and respect at all Department of Veterans Affairs facilities;
- “The right to innovation in care delivery promoted and incentivized by the Veterans Health Administration to support local best practices fitted to the particular configuration and women veteran population;
- “The right to request and get treatment by clinicians with specific training and experience in women's health issues;
- “The right to enhanced capabilities of medical providers, clinical support, non-clinical, and administrative, to meet the comprehensive health care needs of women veterans;
- “The right to request and expect gender equity in provision of clinical health care services;
- “The right to equal access to health care services as that of their male counterparts;
- “The right to parity to their male veteran counterpart regarding the outcome of performance measures of health care services;
- “The right to be informed, through outreach campaigns, of benefits under laws administered by the Secretary of Veterans Affairs and to be included in Department outreach materials for any benefits and service to which they are entitled;
- “The right to be featured proportionately, including by age and ethnicity, in Department outreach materials, including electronic and print media that clearly depict them as being the recipient of the benefits and services provided by the Department;
- “The right to be recognized as an important separate population in new strategic plans for service delivery within the health care system of the Department of Veterans Affairs;
- “The right to equal consideration in hiring and employment for any job to which they apply;
- “The right to equal consideration in securing Federal contracts;
- “The right to equal access and accommodations in homeless programs that will meet their unique family needs;
- “The right to have their claims adjudicated equally, fairly, and accurately without bias or disparate treatment;
- “The right to have their military sexual trauma and other injuries compensated in a way that reflects the level of trauma sustained;
- “The right to expect that all veteran service officers, especially those who are trained by the Department of Veterans Affairs Training Responsibility Involvement Preparation program for claims processing, are required to receive training to be aware of and sensitive to the signs of military sexual trauma, domestic violence, and personal assault;
- “The right to the availability of female personnel to assist them in the disability claims application and appellate processes of the Department;
- “The right to the availability of female compensation and pension examiners;

- “The right to expect specialized training be provided to disability rating personnel regarding military sexual trauma and gender-specific illnesses so that these claims can be adjudicated more accurately;
- “The right to expect the collection of gender-specific data on disability ratings, for the performance of longitudinal and trend analyses, and for other applicable purposes;
- “The right to a method to identify and track outcomes for all claims involving personal assault trauma, regardless of the resulting disability;
- “The right for women veterans' programs and women veteran coordinators to be measured and evaluated for performance, consistency, and accountability; and
- “The right to burial benefits under the laws administered by the Secretary of Veterans Affairs.”

The Injured and Amputee Veterans Bill of Rights is a sign stating that injured and amputee veterans should have the following 9 rights:

- “The right to access the highest quality prosthetic and orthotic care, including the right to the most appropriate technology and best qualified practitioners;
- “The right to continuity of care in the transition from the Department of Defense health program to the Department of Veterans Affairs health care system, including comparable benefits relating to prosthetic and orthotic services;
- “The right to select the practitioner that best meets their orthotic and prosthetic needs, whether or not that practitioner is an employee of the Department of Veterans Affairs, a private practitioner who has entered into a contract with the Secretary of Veterans Affairs to provide prosthetic and orthotic services, or a private practitioner with specialized expertise;
- “The right to consistent and portable health care, including the right to obtain comparable services and technology at any medical facility of the Department of Veterans Affairs across the country;
- “The right to timely and efficient prosthetic and orthotic care, including a speedy authorization process with expedited authorization available for veterans visiting from another area of the country;
- “The right to play a meaningful role in rehabilitation decisions, including the right to receive a second opinion regarding prosthetic and orthotic treatment options;
- “The right to receive appropriate treatment, including the right to receive both a primary prosthesis or orthosis and a functional spare;
- “The right to be treated with respect and dignity and have an optimal quality of life both during and after rehabilitation; and
- “The right to transition and readjust to civilian life in an honorable manner, including by having ample access to vocational rehabilitation, employment programs, and housing assistance.”

**Conservative Concerns:** H.R. 5953 raises several conservative concerns including the idea that health care and certain benefits for women veterans such as the “availability of female compensation and pension examiners” and “female personnel to assist them in the disability claims application and appellate processes” are a “right” and providing certain additional rights to select populations within the VA.

**Department of Veterans Affairs Opposed:** The VA already adheres to strict standards of patient treatment and regulations are already in place that require a comprehensive list of patient's [rights](#) for all veterans to be prominently displayed at all facilities. The VA, stated in its [testimony](#) before the House Veterans Affairs Committee, Subcommittee on Health hearing, that the "VA does not support H.R. 5428, because this legislation would confer unique rights upon a limited group of Veterans. Giving special rights to amputee patients that are not available to other enrolled Veterans would result in inconsistent and inequitable treatment among our Veteran-patients."

**Committee Action:** H.R. 5953 was introduced on July 29, 2010, and referred to the House Veterans' Affairs Committee, which took no public action. The Manager's Amendment includes language from H.R. 5428, introduced on May 27, 2010, and referred to the House Veterans' Affairs Committee, Subcommittee on Health, which held a hearing on September 29, 2010.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time. The legislation does require the Secretary of Veterans' Affairs to distribute the Women Veterans Bill of Rights and the Injured and Amputee Veterans Bill of Rights widely to women veterans and injured and amputee veterans respectively, which would result in increased expenditures. Additionally, there may be costs associated with implied benefits or rights to programs within VA.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. There may be costs associated with implied benefits (such as the "right" to female pension and compensation examiners or disability claims application and appellate processors) or rights to programs within VA.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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## **H.Res. 1644 - Expressing support for designation of a "National Veterans History Project Week" (*Kind, D-WI*)**

**Order of Business:** The resolution is scheduled to be considered on Monday, November 29, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1644 resolves that the House of Representatives:

- “Supports the designation of a ‘National Veterans History Project Week’;
- “Recognizes ‘National Veterans Awareness Week’;
- “Calls on the people of the United States to interview at least one veteran in their families or communities according to guidelines provided by the Veterans History Project; and
- “Encourages local, State, and national organizations along with Federal, State, city, and county governmental institutions to participate in support of the effort to document, preserve, and honor the service of United States wartime veterans.”

This resolution contains a number of findings, including:

- “2010 marks the 10th anniversary of the establishment of the Veterans History Project by the United States Congress in order to collect and preserve the wartime stories of United States veterans;
- “Congress charged the American Folklife Center at the Library of Congress to undertake the Veterans History Project and to engage the public in the creation of a collection of oral histories that would be a lasting tribute to individual veterans;
- “These oral histories have created an abundant resource for scholars to gather first-hand accounts of veterans' experience in World War I, World War II, the Korean War, the Vietnam War, the Persian Gulf War, and the Afghanistan and Iraq conflicts;
- “More than 70,000 oral histories have already been collected and more than 8,000 oral histories are fully digitized and available through the website of the Library of Congress; and
- “‘National Veterans Awareness Week’ has been recognized by Congress in previous years.”

**Committee Action:** H.Res. 1644 was introduced on September 22, 2009, and was referred to the House Veterans’ Affairs Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A report from CBO was unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

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